

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicants respectfully request that the foregoing amendments be entered at least because they do not raise any new issue requiring further search or consideration.

Claims 1, 2 and 4 have been amended. New claims 6-13 have been added. Support for new claims 6-13 can be found at least in FIGs. 3-4 and in paragraphs [0047]-[0051]. No new matter has been added.

This amendment adds and changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-13 are now pending in this application.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 1-5 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Specifically, the Office Action stated on page 2:

Applicant on pages 2 and 5, lines 11 and lines 13 respectively, discloses a subject matter “image date recorded over the set recording time starting at the set return time” which was not described in the specification.

Claims 1 and 4 have now been amended to delete the phrase “the set recording time starting at the set return time.” The amendments to claims 1 and 4 are supported in the present disclosure, at least in FIGs. 3 and 4, and paragraphs [0047]-[0048], and [0050]-[0051]. Applicants submit that the claims as amended are fully supported by the present disclosure, and respectfully request that the rejection of the claims under 35 U.S.C. § 112, first paragraph be withdrawn.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a

telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date AUG 12 2005

By William T. Ellis

FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5485
Facsimile: (202) 672-5399

William T. Ellis
Attorney for Applicant
Registration No. 26,874

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438